

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to adopt the following DCYF rule:

BUDGET, PROCUREMENT, CONTRACT AND FISCAL OPERATIONS

This new rule, in compliance with accounting and fiscal procedure established by the RI Department of Administration as well as the federal court order relating to RI Training School residents and the accreditation standards of the American Correctional Association for Juvenile Training Schools and Juvenile Detention Facilities, provides that staff utilize approved administrative procedures in assisting in the development of the annual budget for the Department of Children, Youth and Families, in awarding contracts, procuring services and managing funds of RI Training School residents.

In the development of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This proposed rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401 528-3685). Interested persons should submit data, views or written comments by July 6, 2010 to Susan Bowler, Administrator for Families and Children, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (Susan.Bowler@dcyf.ri.gov).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Budget, Procurement, Contract and Fiscal Operations

Rhode Island Department of Children, Youth and Families
Division of Juvenile Correctional Services: Training School

Policy: 1200.0107

Effective Date:

Version: 1

The Department of Children, Youth and Families develops an annual budget which is consistent with its mission and is submitted in conformance with the directives of the Department of Administration. To ensure the programmatic and fiscal effectiveness, administrators of each of the Department's divisions participate in the development of the annual budget. In the expenditure of appropriations, the divisional administrator follows the regulations established by the Rhode Island Department of Administration. Divisional expenditures are limited to the amounts allotted on an annual basis, unless approval to exceed an allotment or appropriation and/or approval to transfer an appropriation for emergency reasons is obtained through the DCYF Director or designee.

Divisional administrators conform to all rules, regulations and procedures established by the Department of Administration in fiscal matters including but not limited to procurement, contracting and monitoring of expenditures. The Department of Administration manages a statewide accounting and recording system which classifies the transactions of all Departments in conformance with the enacted state budget, maintains accounts for all state agencies and operates financial accounting and cost systems for all state agencies.

To ensure fiscal accountability, the Associate Director of DCYF Management and Budget or designee authorizes purchase requisitions or vouchers and oversees the development, submission and implementation of the annual budget.

Related Procedure

Budget, Procurement, Contract and Fiscal Operations

Related Policy

RI Children's Information System
Support Services
Incentive System – Points and Levels
Behavior Report
Major Discipline Review
Discipline for Academic and Vocational Classes
Resident Handbook
Administrator on Call

Budget, Procurement, Contract and Fiscal Operations

Procedure from Policy 1200.0107: Budget, Procurement, Contract and Fiscal Operations

- A. Divisional administrators assist the Director in preparation of the DCYF annual budget.
 - 1. In preparation of annual budget estimates, administrators consider information and recommendations from divisional staff.
 - 2. Administrators prepare an itemized estimate of financial requirements for the operation of the divisional programs, facilities or units annually, upon the request of the Director or designee.
 - 3. Budget requests are forwarded to the Director or designee for review and approval.
 - 4. The Director utilizes the recommendations of administrators to develop and present a proposed budget.
 - 5. At the request of the DCYF Director, divisional administrators assist the Legislature in understanding the proposed budget through testimony at hearings and/or responses to queries.
 - 6. Paragraph A is consistent with Department of Administration Rules and with American Correctional Association (ACA) Standards 3-JDF-1B-05, 3-JTS-1B-04, 3-JDF-1B-06, 3-JTS-1B-05, 3-JDF-1B-07 and 3-JTS-1B-06.
- B. Administrators monitor budget expenditures for divisional staff, program, facilities and/or units.
 - 1. Divisional administrators monitor authorized expenditures related to Support Services (005s), contracts, requisitions and purchase orders in conformance with DCYF Policy 700.0100, RI Children's Information System.
 - 2. Requests for appropriation changes or transfers are made to the Director or designee.
 - 3. No appropriation change or transfer is made without approval of the Director or designee in consultation with divisional administrators.
 - 4. Paragraph B is consistent with Department of Administration Rules and ACA Standards 3-JDF-1B-01, 3-JTS-1B-01, 3-JDF-1B-07, 3-JTS-1B-06, 3-JDF-1B-00 and 3-JTS-1B-08.
- C. The DCYF Management and Budget Associate Director meets the qualifications outlined in the RI Merit System for senior staff and has both academic and experience commensurate with responsibilities. The DCYF Management and Budget Associate Director or designee ensures that all divisions conform to Department of Administration rules for accounting in the monitoring and disbursement of funds.
 - 1. The Department's management information system provides information on the current status of income and expenditures for all Divisions.
 - 2. Institutional insurance including worker's compensation, liability for official vehicles and civil liability for employees is secured through the Department of Administration on behalf of the DCYF.
 - 3. The DCYF Management and Budget Associate Director or designee ensures that this information is available to divisional administrators.
 - 4. Paragraph C is consistent with Department of Administration Rules and ACA Standards 3-JDF-1B-02, 3-JTS-1B-02, 3-JDF-1B-03, 3-JTS-1B-03, 3-JDF-1B-08, 3-JTS-1B-07, 3-JDF-1B-09, 3-JTS-1B-08, 3-JDF-1B-10, 3-JDF-1B-11, 3-JDF-1B-12, 3-JTS-1B-11, 3-JDF-1B-13, 3-JTS-1B-12, 3-JDF-1B-16, 3-JTS-1B-15, 3-JDF-1B-17 and 3-JTS-1B-16.
- D. The DCYF Management and Budget Associate Director or designee ensures that all divisions conform to Department of Administration procurement regulations, including but not limited to competitive bidding, the master price index, delegated authority, requisitions, issuance of purchase orders and contracts.

1. The Management and Budget Associate Director or designee responds to inquiries of divisional administrators concerning contracts, purchases, requisitions and vouchers.
 2. The divisional administrator or designee prepares and monitors all procurement processes. Purchases are not approved retroactively and payment is not rendered for goods or services purchased prior to the receipt of an approved Purchase Order except in emergency situations described in section 3. below.
 3. If there is a threat to life, safety, security or state property, the divisional administrator authorizes necessary purchases for immediate corrective action and provides notification to the Associate Director or designee.
 4. Cash transactions are not permissible.
 5. In all routine procurements, the divisional administrator seeks direction from the Associate Director to identify the appropriate purchasing modality including but not limited to a competitive bid, a single source, master price index or requisition.
 6. The Associate Director determines if authority has been delegated to DCYF to conduct the purchasing process. In all other cases, the Department of Administration conducts the procurement on behalf of DCYF.
 7. The divisional administrator or designee ensures that a request for proposals or letter of interest is issued describing the Department's goals, objectives, preferred methods, resources available and timeframes.
 8. The divisional administrator or designee ensures that procurement is advertised, reviewed and awarded in conformance with state rules and regulations.
 9. Paragraph D is consistent with Department of Administration Rules and ACA Standards 3-JDF-1B-03, 3-JDF-1B-03, 3-JDF-1B-10, 3-JDF-1B-11, 3-JTS-1B-09, 3-JTS-1B-10, 3-JDF-1B-15 and 3-JTS-1B-14.
- E. A contract is issued pursuant to a Purchase Order issued by the Department of Administration.
1. The divisional administrator or designee monitors the development and implementation of contracts and ensures that a copy of each contract is maintained.
 2. Each contract describes the goods and/or services to be procured as well as methods, time period, roles, responsibilities, itemized costs and payment procedures.
 3. Supervisory and administrative approval is documented in accordance with DCYF Policy 700.0100, RI Children's Information System.
 4. Hard copies of each contract are also routed for signature by program staff and administrators.
 5. In accordance with the terms of the contract, the vendor invoices the Department.
 6. The divisional administrator assures that the contract is monitored and that any failure to produce contract deliverables is brought to the attention of the Administrator of the Associate Director of Management and Budget.
 7. Paragraph E is consistent with Department of Administration Rules and ACA Standards 3-JDF-1B-15 and 3-JTS-1B-14.
- F. Divisional administrators or designee authorize individual services that cannot be provided directly by DCYF staff in conformance with the DCYF Policy 700.0020: Support Services.
1. Divisional administrators ensure that contract, 005, and requisition approvals are recorded in RICHIST in accordance with DCYF Policy 700.0100: RI Children's Information System.
 2. DCYF staff complete the #005 through RICHIST for each service requested and for each child requiring service.
 3. If a service is requested for a family at one (1) fee, a single #005 is completed for the child most closely associated with the service need.

4. Management and Budget monitors #005 expenditures.
 5. Paragraph F is consistent with Department of Administration rules and ACA Standards 3-JDF-1B-15 and 3-JTS-1B-14.
- G. The DCYF Management and Budget Associate Director ensures that an account is maintained into which earnings of the residents of the RI Training School are placed, monitored and disbursed.
1. Residents earn funds only as set forth in DCYF Policy 1200.1302: Incentive System - Points and Level System and in DCYF Policy 1200.1301: Resident Handbook.
 - a. Funds earned through accumulation of points are reviewed annually by the Superintendent or designee and reflected in the Resident Handbook.
 - b. Residents completing on or off grounds work assignments are compensated at the prevailing wage rate provided that such work is above and beyond routine housekeeping, hygiene and maintenance chores and that such work is not a part of an approved vocational or training program.
 - c. Residents do not perform any work on or off grounds prohibited by state or federal child labor regulations and statutes.
 2. No individual, including family members, can contribute funds to residents in person during visits or through the mail.
 3. Residents are not permitted to carry cash at any time.
 - a. Any cash in a resident's possession at intake will be stored in a plastic evidence bag and forwarded to the unit manager.
 - b. The evidence bag is given to the resident's parent at the first visit.
 - c. If the parent cannot or will not take custody of the evidence bag at the visit, the bag is stored at the Youth Assessment Center until the resident is released.
 - d. If a resident has more than one hundred dollars (\$100) at the time of admission, the Administrator on Call is notified in conformance with DCYF Policy 1200.0004, Administrator on Call.
 4. Residents request access to their funds through their Unit Manager. If the request is permissible and resident has funds, a check is provided in a timely fashion.
 5. "Canteen" and/or "Commissary" services are provided to residents when possible.
 - a. Residents utilize vouchers to purchase items.
 - b. Unit Managers subtract funds from residents' balances when vouchers are redeemed.
 - c. DCYF Management and Budget staff monitors Canteen/Commissary operations to ensure that prices cover costs and that any surplus funds are utilized for residents' welfare and recreation.
 6. If a resident has funds in his/her account at the time of release, a check for the available balance is provided in a timely fashion.
 7. No financial transactions of any sort outside of the policies described herein between Staff and residents are permissible.
 8. Resident funds may be utilized to pay for restitution for damages in conformance with DFYF Policy 1200.1305, Behavior Report and DCYF Policy 1200.1306, Major Discipline Review.
 9. Paragraph G is consistent with Department of Administration rules and ACA Standards 3-JDF-1B-18, 3-JTS-1B-17, 3-JDF-1B-19, 3-JTS-1B-18, 3-JDF-1B-20, 3-JTS-1B-19, 3-JDF-1B-21, 3-JTS-1B-20 and 3-JTS-1B-21.
- H. The DCYF Management and Budget Associate Director develops procedures for marking and maintaining an inventory of DCYF equipment including but not limited to computers, automobiles and tools.

1. The inventory of equipment is reflected in a master list which includes identifications/serial numbers and descriptions.
2. This inventory is reviewed annually and updated as necessary.
3. Divisional Administrators ensure that repairs of equipment or facilities are authorized according to Department rules and that all vendor repair personnel are properly supervised while completing necessary work.
4. Paragraph H is consistent with Department of Administration rules and with ACA Standards 3-JDF-1A-34, 3-JTS-1A-30, 3-JDF-1B-14, 3-JTS-1B-13, 3-JDF-5C-05, 3-JTS-5D-16, 3-JDF-5C-06, 3-JTS-5D-17 and 3-JTS-5D-18.